

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska Public)
Service Commission, on its own Motion,)
to implement standards for the verification)
of broadband service provider coverage)
and speed data)

Application No. NUSF-133

**COMMENTS OF NEBRASKA PUBLIC POWER DISTRICT ON ORDER OPENING
DOCKET AND SEEKING COMMENT**

Nebraska Public Power District (“NPPD”) respectfully submits the following comments in response to the Nebraska Public Service Commission’s (“Commission”) Order Opening Docket and Seeking Comment in the above captioned proceeding entered on March 15, 2022 (the “Opening Order”).

I. INTRODUCTION AND SUMMARY

In the Opening Order, the Commission seeks comment on the standards and methodology for collecting speed test data as well as the number of tests sufficient to meet the criteria established in LB338¹, as codified in Neb. Rev. Stat. § 86-324.02. The Commission proposes to adopt the general performance testing framework of the Performance Measures Model (“PMM”) which is referenced on the website of the Universal Service Administration Company (“USAC”). The PMM utilizes the HUBB Reporting System (“HUBB”) which is a system that collects the geographic coordinates (latitude and longitude) of locations where carriers are deploying broadband using federal support and serves as a starting point for verification reviews to confirm deployment to a random sample of locations reported by carriers. As noted by the Commission’s Order, all carriers

¹ *In the Matter of the Nebraska Public Service Commission, on its own Motion, to implement standards for the verification of broadband service provider coverage and speed data, Order Opening Docket and Seeking Comment, Docket No. NUSF-133 (Mar. 15, 2022), p. 3.*

participating in CAF programs with deployment milestone obligations are already subject to HUBB verification reviews and reporting.²

NPPD strongly supports the Commission's intent to adopt the PMM and the HUBB Reporting System in order to verify broadband service provider coverage and speed. The entire structure, implementation, and integrity of the Nebraska Universal Service Fund (the "NUSF") is dependent on the ability of the Commission to verify the speeds of broadband service providers eligible for state and federal funding for the deployment of broadband infrastructure and services.

II. DISCUSSION

The Commission has requested comments on several specific issues regarding components and factors integrated into the PMM, such as how to determine locations for testing and identify a statistically valid sample; how to define and size a statistically random sample of locations; what daily testing period should be required; how to evaluate testing intervals; how and whether to encourage consumer-initiated testing; whether testing from the consumer's premises should be encouraged; what testing resources, including third-party vendors, are available and should be utilized; and whether providers can automatically conduct speed testing and from what locations. These questions and issues appear to reflect the Commission's perception that variations in the current PMM and HUBB Reporting System are necessary to meet the statutory criteria of LB338 and § 86-324.02

However, as reflected in the Commission's description of the PMM in the Opening Order, these issues are already addressed and functionally provided for in the existing configurations of the PMM and the HUBB Reporting System. Rather than searching for "adjustments" in these systems, adopting them as currently structured will provide essential uniformity in data collection

²Submit Data in the HUBB - Universal Service Administrative Company (usac.org).

and evaluation. Since carriers requiring most federal and state funding support are currently required to comply with HUBB, utilizing the same standards and criteria for satisfaction of Nebraska-based funding programs will preserve reporting and analytical uniformity

Moreover, to support these testing requirements, the FCC has made available testing software free of charge and free of license, which are open sourced.³ If a broadband provider desires to use an off-the-shelf testing software, the FCC has an approved list of testing software vendors.⁴ On this list of approved software providers is Ookla, (more commonly known as Speedtest.net).

III. CONCLUSION

Each of the Commission's questions and issues for which comments are being sought in this Docket can be addressed by examining the functionality and components embedded in the HUBB Reporting System and the terms of the PMM released by USAC. These features provide the accuracy and uniformity that makes the HUBB Reporting System the most universally useful source of data available in the world today. To create new iterations and standards unique to Nebraska would severely undermine its essential value in uniformly collecting and evaluating broadband service provider speed data. The HUBB Reporting System should be used by the Commission not only in administering the NUSF Program, but in evaluating every program implemented in Nebraska which distributes or allocates state and federal funds for the deployment and funding of broadband infrastructure and services, including, but not limited to, the Broadband Bridge Act.⁵

³ *In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Nebraska Broadband Bridge Program in 2022 program year*, Filed Testimony of David P. Young on behalf of Universal Broadband Consulting, Docket No. C-5368 (March 22, 2022), p. 3.

⁴ Id.

⁵ Neb. Rev. Stat. §§ 86-1301 to 86-1310.

Respectfully submitted,

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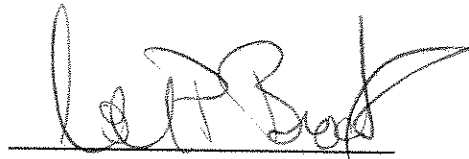
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CERTIFICATE OF SERVICE

I certify that on the 15th day of April, 2022, one electronic copy of the Comments of Nebraska Public Power District (NPPD) in Application No. NUSF-133 was filed with the Nebraska Public Service Commission to the following:

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